

Board of Trustees
Suffolk County Department of Parks
Recreation and Conservation
Minutes of August 18, 2005 at Meadow Edge, West Sayville

BOARD MEMBERS PRESENT:	Alexander McKay	Chairman, Town of Huntington
	Matthew Kruger	Vice Chairman, Town of Smithtown
	Charles Bender	Member of the Board
	Ray Corwin	Member At Large
	John Fritz	Trustee, Town of Babylon
	Brian Herrington	Member of the Board
	Joseph Miller	Trustee, Town of Islip
	Aurelio Colina	Trustee, Town of Southampton
	Richard F. White, Jr.	Trustee, Town of East Hampton
ABSENT:	Vacancy	Trustee, Town of Riverhead
	Thomas J. McCaffery	Trustee, Town of Southold
	Gary Olsen	Trustee, Town of Brookhaven
	Christopher C. Drake	Trustee, Town of Shelter Island
	Ronald F. Foley	Commissioner
PARKS DEPARTMENT:	Tracey Belone	Deputy Commissioner
	Colleen Hofmeister	Contracts Manager
	Mary Simonsen	Secretary to the Commissioner
GUESTS:	Thomas Isles	Director of Planning
	Lauretta Fischer	Principal Planner
	Jennifer Kohn	Assistant County Attorney
MEMBERS OF THE PUBLIC:	Gilbert Cardillo	

Chairman McKay acknowledged and welcomed to today's meeting Brian Herrington from the County Executive's office who was given temporary voting capabilities by the County Executive in the absence of Trustee Stebbins.

PUBLIC SPEAKING PORTION:

There were no members of the public wishing to address the Board today.

ADOPTION OF THE JULY 14, 2005 MINUTES:

- Page 3 – Fifth full paragraph; reword it to answer the question as to whether fishing will be permitted on an existing pier to be refurbished.
- Page 7 – First paragraph under "Sagaponac Woods", add the first two sentences to clarify the question.
- Page 8 – First paragraph, first sentence, change "Long Island Sound" to read "Atlantic Ocean".
- Page 12 – Second paragraph, first sentence, change "volunteered in radio communications" to "volunteered as an amateur radio operator".

- Page 12 – First paragraph, first sentence, change the end of the sentence from “any reward for this” to read “any rewards other than being of service.”
- Page 13 – Last full paragraph, first sentence, change “Alex McKay” to read “Chairman McKay.”

Chairman McKay asked for a motion to accept the minutes if there were no more changes. The motion to approve was made by Trustee Miller and seconded by Trustee Kruger. The motion to accept the minutes as amended was unanimously approved.

Tom Isles – Planning Department

Mr. Isles stated that he had two acquisitions today, to be presented by Laurretta Fischer.

1. **Corey Creek, Edson Property.** The parcel is 1.2 acres and part of a 90 acre acquisition area on Hog Neck in the Town of Southold located on the Peconic Bay and is part of an extensive tidal and freshwater wetlands. This is one of a dozen or so potential acquisitions in this area. It was proposed on the Master List in 2004 and part of the old Open Space Program of 1986. There were funds left in the program that the County wanted to use in order to expend the monies left in the older programs. It was kept for Open Space Wetland Protection purposes.

Chairman McKay asked if under the 1986 program it was prioritized. Ms. Fischer said yes, but there is not a lot to prioritize now and they are looking at them on a one-on-one basis as being Wetland, Woodland and Open Space Protection. Trustee Fritz asked, aren't wetlands protected under state law anyway? Ms. Fischer said not necessarily, it depends on the acreage of the parcel and any upland associated and if so, the DEC (Department of Environmental Conservation) will move any structure to the least environmentally destructive area. If there is none they will rise it up, fill it in, do whatever they need, unless it is extremely wet they will go to a certain level of allowance, we don't feel it's a true protection. Trustee Colina asked if this was near South Bay Boulevard. Ms. Fischer said it was at the intersection of Hog Neck and South Bay Boulevard.

Trustee Miller asked if 1/12 of the other parcels are subjected to the requirement of purchasing all the others, if the acquisition of the other parcels falls through, we've bought a park for people to develop around? Mr. Isles replied that's always a risk you take. But he said they felt they've had enough positive feedback and interest to make the commitment and justify moving forward. And, unfortunately, it has to be done piece by piece. Trustee Miller said in light of a Supreme Court decision that says anyone can condemn property, can we condemn it at the same time and force them to come to the table and negotiate. Mr. Isles replied that at this time we are not authorized to do that, but the day may come when in order to consolidate parcels the County may warrant condemnation. Ms. Fischer also said the letters of interest that they send out are received back at different times, and they move on them as they get them back. She added that there are a few others that are looking very positive and they are confident that this will not be the only one.

Chairman McKay asked if anyone had anymore questions. As no one did he asked if there was a motion to approve the acquisition of the highest priority. Trustee Colina motioned to accept, it was seconded by Trustee White and voted in favor of acquisition of the highest priority unanimously by all Trustees.

At this time Trustee Miller asked if the member of the public in attendance was the nominee for the Board of Trustees from Riverhead, Gilbert Cardillo. He replied that

he was and Trustee Miller and Chairman McKay invited him to join the group at the table and asked those present around the table introduce themselves. Afterwards, the meeting continued with the second acquisition from Planning.

2. **Overton Preserve – Kane Property**, located in Coram in the Town of Brookhaven, to the north of this property is the LIE, west is Route 112 and to the south is Granny Road. This was put before the Legislature by Legislator Foley. This parcel is 0.23 acres and part of a larger, 400 acre acquisition area comprised of 50-60 lots that are virtually undeveloped. Ms. Fischer said they have received a strong response to move forward and it is looking good for further acquisitions of larger lots. It is proposed under the Multifaceted Land Preservation Program for Open Space and the entire area is to be used for passive recreation. She added that there is much local support for the acquisition and Brookhaven Town is also involved in acquisitions and possibly as a partner on larger sites.

Trustee Bender noted that in the southern areas on the map there has been some clearing and construction and said it looked as if nothing in the northern portion of the area in discussion has been developed. Ms. Fischer replied that he was correct.

Trustee Corwin asked if some of the same parcels in the green area of the map were being pursued by both the Town of Brookhaven and the County. Ms. Fischer said all of the lots in the green area are in the Planning Steps Resolution and Mr. Isles added that in some cases Brookhaven is going after some of the parcels independently and some would be joint acquisitions, the entire area is subject to a moratorium in the Town of Brookhaven and some areas are the subject of a study that will also look at other methods of land preservation. Brookhaven has indicated that they are fully committed to be involved with this.

Chairman McKay asked if all of these lots were on an old file map. Ms. Fischer replied that the quadrant on the northwest side are old file maps. The Chairman then asked if all of the owners have been identified. Mr. Isles said it is primarily owned by one entity. The Chairman then noted that at the top of the map handout it said "¼ Percent Drinking Water Protection". Ms. Fischer said at the time this was originally under that plan in the Planning Steps, but there were not sufficient funds for this that program at the time, so it was moved to Multifaceted Open Space Preservation. Chairman McKay pointed out that the Trustees responsibilities would differ between the ¼ Percent Drinking Water Program and the Multifaceted Open Space. Ms. Fischer replied it is Multifaceted for Open Space as per the requirements of the Open Space Preservation Program, which the Trustees review on a priority basis. Mr. Isles said the Multifaceted Program refers back to the older programs so it comes with all of the requirements of the older program.

Trustee Miller asked what would happen if the County acquired this parcel and then couldn't purchase any more, what would we do with it? Could we sell it back, is there some sort of bailout? Ms. Fischer said once we commit, we can't sell it back. Mr. Isles said the Trustees should know they have gone to contract and done some closings in this location, as has Brookhaven, so there have been some acquisitions done already.

Trustee Fritz pointed out the large piece of open land in the bottom left of the map, southwest of the acquisition area. The map says it is approved for planning, he asked what that meant. Ms. Fischer said that it was a proposed acquisition in 2003, however the developers moved forward and are building subdivisions. He asked if

they were required to protect the pond. Mr. Isles said that the application that Brookhaven approved came with the contingent that the applicant donate the Rocky Point golf course to them.

With no further questions from the Trustees, Chairman McKay asked if there was a motion to approve the acquisition of the highest priority. Trustee Corwin made the motion, it was seconded by Trustee Fritz, none opposed and it was approved unanimously of the highest priority.

COMMISSIONER'S REPORT:

As Commissioner Foley could not attend today's meeting, Deputy Commissioner Bellone led the Commissioner's Report.

She asked Colleen Hofmeister to talk about the **Trap and Skeet RFP**. Ms. Hofmeister began by saying the Parks Department defaulted the concessionaire at the Trap and Skeet facility at Southaven Park in 2001, and since that time the department has been moving ahead and trying to get another concessionaire in the facility. They had a failed RFP at the end of 2003, this year in April they went out for another RFP. She noted that Trustee Olsen was the Parks Trustee representative on that committee, and that he along with Trustee White reviewed the RFP. Trustee Olsen went on tours, participated in the oral presentations and in reviewing the one proposal received. The RFP review committee determined they think it is of the best interest of the Department to award the contract to the one proposer, and that the Commissioner is in agreement. At this point they have entered into contract negotiations with the proposer. This particular contract will need to go before the Legislature for approval in accordance with a resolution that was passed in 2002. County Standard Operating Procedure IO4 from 1993 states that the Parks Trustees are to review RFP's and we are to obtain a formal resolution of approval if we are going to award a contract. Ms. Hofmeister said she was here to ask for a formal approval and to answer any questions.

Trustee Corwin asked if the Legislature's requirement applied only to this contract, Ms. Hofmeister said that this particular contract was different being that they had to go out for two consultant studies, one for environmental and one for sound, incorporated within that resolution was the language that stated we had to come before them with this contract. Trustee Miller asked what happens next after the RFP and contract are approved. She said that they stay in her department and they implement. The County Attorney's office gets a copy of the final approved contract.

Trustee Miller asked what the time frame is between the County Attorney getting it and the Contracts Department getting it back to sign. Ms. Hofmeister said they work together on the RFP and the RFP contains a sample contract, and if it's awarded, that is the starting point. She said the turn around time at that point is pretty quick because by the time they go back to the County Attorney they've already negotiated everything. Any delays usually only occur if there is something illegal in the contract.

Chairman McKay asked if there was a motion to adopt a Resolution supporting the Trap and Skeet RFP. Trustee Kruger said that although he had not talked to Trustee Olsen about this, he was in on the early part of the process, and since the Commissioner and Trustee Olsen were on board, he felt comfortable approving it in their absence. Trustee Kruger motioned to accept and it was seconded by Trustee Fritz and accepted unanimously in favor.

Deputy Commissioner Bellone began by discussing the handouts she had distributed regarding

IR 1923 and the public hearing regarding such on August 23, 2005. This introductory resolution, proposed by Legislator Kennedy, would authorize the Parks Department to establish a **dog run at Blydenburgh County Park**, in the Town of Smithtown.

The Deputy Commissioner said they were not here to pass a vote on this today, but it is on the agenda in regards to a much broader issue. She said that the County is now being approached by various Legislators and organizations to do things in our parks that traditionally we have not been responsible for. She said long time park managers will tell you our parks were intended to be used for passive recreation (hiking, biking, camping, etc.) and active recreation was left to the responsibility of towns and villages. But because of the growing population, and with school districts using their fields all the time, various organizations have been asking for space in County parks for uses such as ball fields, dog runs and rowing clubs etc. She said she felt that as the Trustees of our parks, there needs to be greater discussion on how we want to use our parks.

As another example, the Deputy Commissioner referred to the other handout regarding the **Longwood Youth Sports Association's (LYSA) request to establish soccer fields at Cathedral Pines**. They are looking to use an area currently used for Boy Scout camps and camporees to create soccer fields. As stated in the letter, they have requested quite extensive modifications but have agreed to allow the soccer fields to continue to be used for camping and other activities.

To illustrate the demands being made on County parks, the Deputy Commissioner said other requests being made to the Parks Department are: a request to double the size of the Boathouse at Coindre Hall to accommodate the rowing club there, another rowing club wants to put in a building with a ramp and dock at Indian Island, a skate park at Smith Point, Little League Teams want to use Cedar Point, and there are requests to expand the dog run at West Hills. She said these items are not up for a vote by the Trustees, but their opinions would have an influence on the decisions affecting how our parks are used. As the Department of Parks, Recreation and Conservation, we do have a responsibility for recreation, but we have to decide at what level and intensity. Cathedral Pines is a very quiet place right now, but they would be bringing in a lot of traffic, noise, people, etc. The Deputy Commissioner said that Commissioner Foley definitely wanted to be part of this conversation and asked that they take all of this information in and it can be discussed in more depth at the September meeting.

Trustee Colina referred to the handout of the letter from LYSA and said they had a lot of extensive plans and work to be done for their soccer fields, such as upgrading the roadway, adding a new well system, eliminating trees and shrubs, installing an irrigation system (also included in the proposal were providing a toilet facility, running a concession, providing two large parking lots, alternate parking on the grass, relocating existing electrical poles and wiring and putting up a corporate sponsor sign) he commented, how could they have all of this completed by September 15th? Deputy Commissioner Bellone said they already know this won't happen by September 15th and added that when they were first approached by LYSA, all they were asking for was open space for a few fields; their plans grew into the requests in this letter to the Commissioner. She also said that we don't want any additional structures there and have concerns about their desire to modify the roadway.

Trustee Herrington asked who would be responsible for maintenance and repairs. The Deputy Commissioner replied that is still something that would have to be worked out in an agreement. She said they'd had internal discussions on it, but have not yet sent a response to LYSA. Trustee Fritz commented on public pressure on the Legislature and the Deputy Commissioner said that is a major concern, the Legislators are feeling pressure from large groups of constituents and the requests are coming rapidly. Deputy Commissioner Bellone said there's also the idea that we have these vacant parcels, and maybe we should look at putting these types of facilities there

rather than in established parks that already have facilities like campgrounds and passive recreation etc., like Three Village Boys and Girls Club did.

Trustee Fritz asked if Parks had gotten any opinion on this from campers, the Deputy Commissioner said they'd reached out to Suffolk Committee for Camping who does a huge kickoff every summer at Cathedral Pines, their main concern was whether the space would still be available to them, no matter what goes there. Trustee Fritz then asked for some more information on what was being proposed at Indian Island. Deputy Commissioner Bellone told him that a rowing club wants to put up a building next to our maintenance building and put in a boat ramp so they could offer rowing club activity, which would also allow kayakers to use it.

Trustee Corwin said he felt the heart of the question is, when we look at property we have purchased, we have to ask: why did we buy it, under what law or resolution and what constraints were on it when we did. The other thing he noted was that Parks, through no fault of its own, is in a reactive mode. He said it would be nice if we could do an internal Parks Master Plan or review and decide, here's what we'd accept, here's what we wouldn't accept, try to always be one step ahead. His other point was that Cathedral Pines is in the Pine Barrens core area and the Pine Barrens Commission will absolutely want to see what's being proposed there. He said he's not saying they would deny it or take jurisdiction, but they would want to see it, partly because it's construction of something in the core, modification of landscape and additional intensity of use, even if you did half of what they want. Deputy Commissioner Bellone said that Nick Gibbons would bring it before the CEQ. (Council on Environmental Quality.)

The Deputy Commissioner said, we're not necessarily saying we are for or against any of these things, we're really just trying to figure out how County Parks can best serve its constituents. That we should look at whether or at what level parks would stay passive or become more active and how we can best serve our constituents.

Chairman McKay said that historically, the County parks have been passive and the Town Parks active, but that many of the town parks are filled to capacity. Towns are trying to meet their constituent needs but they are running out of space, so there will be increasing pressure on the County parks to at least share that burden. He said County parks have always impressed him with their rusticity, which offers a different kind of experience, but in the 21st Century there are new demands and we may be forced into a new way of thinking while at the same time protecting our resources. But the point is, the Towns still have the responsibility to provide active recreational parks and we shouldn't make it too easy for them to use County facilities and not meet recreational demands within their own communities.

Trustee White referred to a book he read by Professor Little called "Use it or Lose it", he said in it the professor talked about this topic and that ultimately, open space is going to be pressured into being used because there will be no other alternative.

Trustee Bender said that if you look back, use it or lose it is what really spearheaded the laws and legislation that created Nature Preserves, which then the precedence is to protect that property, so you wouldn't be able to do things like some of those discussed today on these properties.

Trustee Corwin said analogous to this, the legislature and the Governor just signed a bill this year strengthening the Pine Barrens Act because the perception was government agencies and the demands upon them may be the single largest threat to our open space. Trustee Bender suggested naming them as nature preserves, that way they can't be touched. Ms. Fischer said it depends on when we acquired each parcel. Years ago the very large holdings we have were bought under Capital Program funding. In 1986 the first Open Space Preservation Program was

undertaken, then we went into drinking water and we narrowed it down to say we're putting land into Nature Preserves in order to protect it from any further development. Now we have a mixture of programs, from active recreation to very restrictive recreation. She said we have to be very careful of what we identify these as and to be stewards of those requirements. There are some very old properties that we acquired without any restrictions. But there are parts of those parcels that are environmentally sensitive, so we have to tread very carefully with such issues.

Trustee Colina said these are all very good points and we need to look at what program each piece of property was acquired under, possibly change the nomenclature to "Preserve", if it is legal to do so, to be stricter against the possibility of building on certain properties. He said we knew this was coming. Maybe legally there is a way we can preserve some property now under a general description and change it to a more restrictive one. He said Southampton is doing little in terms of open space preservation, and he thinks most towns are in the same boat. It is incumbent upon us to do whatever we can because we are stewards, if we don't take a stand and come up with solutions we will end up being told what to do. In the meantime, he said he thinks we have to be a little more proactive.

Trustee Fritz said that if they develop in the manner as they are saying at Cathedral Pines, they will have to do an Environmental Impact Statement before they do anything like that. Deputy Commissioner Bellone agreed and said that it is a large open area they are looking at and the trees in that area are minimal, but that we have stressed to them that we want the least amount of trees removed.

Trustee Corwin asked where the other uses would go if this area is landscaped and constructed in such a way that it's really only good for sports athletic fields? The campers could turn around and say we need to clear another area because the soccer people took our camping area and so on, and we have to have some kind of plan in mind. A Master Plan would be a great idea, but said he realizes that's easier said than done. He said Brookhaven Lab came under similar pressure a few years ago and they called it the Land Use Plan, like a zoning plan. They went through the process of deciding which areas of the site would be used for what kind of future development in different scenarios, like planning scenarios, maybe something similar to that could be undertaken for the County Parks. Mr. Isles said that is something they would like to do at some point, however, they do not have the man-power and would have to plan that into the work program.

Vice Chairman Kruger mentioned the lighting Longwood Soccer may require to maximize the usage of the fields. He said once we start illuminating large areas like this we're going to have problems with complaints from people that their night-sky has been altered. We need to reevaluate our goals and look to the future, trust has been placed in us and we have done a lot of good, but we need to look at where we are now and where we want to go. Some people look at it as "This is where I wanted to live and now all that was magnificent in the first place about my surroundings is being altered."

Chairman McKay said it is going to take people to do this, additional planners in government and the legislature to take active roles. Maybe think about a Resolution to express these concerns and pressures and the need for long range planning.

Trustee Colina suggested taking an inventory and looking at what the acquisitions fell under when they were made and discern restrictions about what they can and cannot be used for. Ms. Fischer said the Nature Preserve Handbook was created to designate areas for acquisition from which the Master Plan was generated. Chairman McKay asked Deputy Commissioner Bellone if the demand for camping has fluctuated at all, she said it has increased and we can't accommodate all those who wish to camp, people like the remoteness of our campsites. Trustee

Bender added that his sister goes camping at Indian Island which is only minutes from her house but she said she feels like she is out in the country, somewhere far away.

Chairman McKay asked that the Trustees take these thoughts and issues to think about and discuss this issue further at the next Trustees meeting.

CHAIRMAN'S REPORT:

The Chairman brought up that the owners of Mohlenhoff Nursery have entered into a contract with the South Huntington School District to build a school bus parking lot adjacent to Froehlich Farm. He asked that a letter be drafted from himself on the behalf of the Trustees expressing their concern, especially as it is in a special groundwater protection area. He requested the Trustees' approval to send a letter to the South Huntington School Board and the New York State Education Office. Trustee Miller said he would support that and motioned to proceed, which was seconded by Trustee Colina and voted unanimously in favor by all the Trustees.

In the letter, Chairman McKay pointed out that this parking lot would be adjacent to a groundwater protection area, and also requested that if they chose to proceed, that all proper and complete environmental studies be done to ensure there would be no adverse impact on the preserve and the groundwater it was established to protect.

OLD BUSINESS/NEW BUSINESS:

IR 1581, as initially discussed at the previous meeting, for **discounted fees** for **CERT, MRC and VIPS**: The Deputy Commissioner reported that they are researching information and documents and are working on processing the financial numbers to determine the loss of revenue the County would incur as a result of such discounts. She asked that they be given more time to continue their research. Chairman McKay stated that the issue would be tabled until the next meeting for them to do so.

On the issue of the **Parks Department Operational Budget**, Chairman McKay asked the Trustees if they had an opportunity to look over the budget distributed at the previous meeting and if they had any comments or changes. They all concurred that they had looked it over and had no comments or changes. The Chairman asked for a motion to accept the budget as presented. Trustee Kruger made the motion to accept, it was seconded by Trustee Fritz and voted in favor unanimously to accept.

As this was the last item on the agenda, Chairman McKay asked the Trustees if they had any other topics they wished to discuss.

Trustee White brought up the proposal to erect an **Emergency Service Antenna** at the **GATR** site in Montauk. He described an incident he had recently in which he needed to make a 911 call, and due to the lack of a proper cell tower, his call needed to be routed through various channels before he could reach a 911 operator. He stated that this wasn't a life or death situation, but at some point there will be one, with devastating results if they cannot get 911 calls sent and received in a timely fashion, and he doesn't want to see it coming down to that in order to get movement on this proposal. Trustee White said he thought alienation may be the issue, but it is a utility that serves the public and it is a matter of safety, as an example, parks have phone booths in them.

Chairman McKay said he recalled at a meeting a year ago that the County Attorney representative at the time indicated they should get the Commissioner to call or write to the Senior County Attorney requesting that they act expeditiously on this issue. Trustee Herrington

said he would go back to his office at the Executive Offices and look into it, try to find out what the delay is, if any, and get it a high priority status.

Trustee Miller asked what the status was of the pending agreement with **Seatuck Environmental Association to use the Scully Mansion for an Environmental Interpretive Center**. The Deputy Commissioner said they were having a problem with some of the wording in the proposal and the second floor office space and are working with the County Attorney on it.

Trustee Miller asked if this situation would merit giving it back to the Legislature for lack of guidance because they bought the property and gave it to Parks without any directions or procedures. The Deputy Commissioner replied that issues are being worked on and it has not been put on hold or shelved. Trustee Bender added that the item is on the Legislative agenda for a grant...

DATE AND LOCATION OF THE NEXT MEETING:

Chairman McKay said he would not be able to attend the September meeting as scheduled on September 15th. He requested, if none of the other Trustees had a scheduling conflict, moving the meeting to the following week. The Trustees agreed and Chairman McKay announced that the next Trustees meeting would be rescheduled for September 22nd, 2005, to be held at 10:00 a.m. at Meadowedge, West Sayville. The Chairman asked for a motion to adjourn, Trustee White made the motion, it was seconded by Trustee Kruger. Meeting adjourned.